

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES—
GENERAL

Case No. 5:22-cv-01800-SSS-SHKx

Date January 18, 2023

Title *Marquise Bailey v. James M. Berardini, et al.*

Present: The Honorable SUNSHINE S. SYKES, UNITED STATES DISTRICT JUDGE

Irene Vazquez

Not Reported

Deputy Clerk

Court Reporter

Attorney(s) Present for Plaintiff(s):

Attorney(s) Present for Defendant(s):

None Present

None Present

**Proceedings: (IN CHAMBERS) Order to Show Cause re Dismissal for
Lack of Prosecution**

Absent a showing of good cause, an action must be dismissed without prejudice if the summons and complaint are not served on a Defendant within 90 days after the complaint is filed. Fed. R. Civ. Proc. 4(m).

In the present case, it appears that Plaintiff has not served the summons and complaint on one or more Defendants. Accordingly, the Court, on its own motion, hereby orders Plaintiff to show cause in writing on or before **February 1, 2023**, why this action should not be dismissed, with respect to each Defendant who has not been served, for lack of prosecution. Pursuant to Rule 78 of the Federal Rules of Civil Procedure, the Court finds that this matter is appropriate for submission without oral argument. This Order to Show Cause will be discharged if Plaintiff files, before the deadline set forth above, a proof of service of the summons and complaint.

IT IS SO ORDERED.